

U.S. Patent Application Serial No. 09/817,365
Amendment filed March 13, 2006
Reply to OA dated December 13, 2005

REMARKS

Claims 7 - 11 are pending in this patent application, claims 1 - 6, 12 and 13 having been canceled.

Claim 11, and the specification have been amended in order to more particularly point out, and distinctly claim the subject matter to which the applicants regard as their invention. The applicants respectfully submit that no new matter has been added. It is believed that this Amendment is fully responsive to the Office Action dated December 13, 2005.

The applicants thank the Examiner for now indicating that claims 1, 4, 5 and 7 - 12 would be allowable if amended in the manner suggested in item 8, page 4 of the outstanding Action.

The Examiner objects to the specification for the specific reasons set forth in item 1, page 2 of the outstanding Action. The applicants respectfully request reconsideration of this objection.

The sentence in lines 14 - 17, page 21 of the applicants' specification has been amended so as to read as follows:

In a load seal ring 2, a cutout portion 46 is formed on the side of the first seal ring 1 of an outer peripheral surface 26, and a cutout portion 47 is formed on the side of the second seal ring 1 of an inner peripheral surface 30, the length of the inner peripheral

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surface 30 being less than that of the outer peripheral surface 26.

Emphasis added.

In view of this amendment to the specification, the withdrawal of the outstanding objection to the specification is in order, and is therefore respectfully solicited.

Claims 6 and 13 stand rejected under 35 USC §112, first paragraph, for the specific reasons set forth in item 3, page 2 of the outstanding Action. The applicants respectfully request reconsideration of this rejection.

As indicated above, claims 6 and 13 have been canceled without prejudice or disclaimer. Thus, the outstanding 35 USC §112, first paragraph, rejection of claim 6 and 13 is now moot. Accordingly, the withdrawal of the outstanding rejection under 35 USC §112, first paragraph, is in order, and is therefore respectfully solicited.

Furthermore, the Examiner objects to the language of claims 5, 11 and 12, and suggests certain claim language so as to overcome the Examiner's objections thereto. As to claims 5 and 12, these claims have been canceled; thus, the outstanding objections to these claims are now moot.

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As to claim 11, the language of this claim has been corrected in the manner suggested by the Examiner. Accordingly, the withdrawal of the outstanding objections to the claims, as noted above, is in order, and is therefore respectfully solicited.

Moreover, the Examiner's outstanding double patenting rejections are set forth as follows:

(1) claims 1 and 4 are rejected under obviousness-type double patenting rejection based on claims 1-3 of Komatsu's U.S. Patent No. 6,955,359 for the specific reasons set forth in item 6, page 3 of the outstanding Action; and

(2) claims 1 and 4-13 stand rejected under obviousness-type double patenting rejection based on claims 4-11 of Komatsu's co-pending application U.S. Serial No. 10/950,489 for the specific reasons set forth in item 7, pages 3 and 4 of the outstanding Action.

The applicants respectfully request reconsideration of these rejections.

As indicated above, claims 1 and 4 have been canceled. Thus, the outstanding obviousness-type double patenting rejection based on claims 1 - 3 of Komatsu's U.S. Patent No. 6,955,359 is now moot; and the withdrawal of the outstanding obviousness-type double patenting rejection based on claims 1 - 3 of Komatsu's U.S. Patent No. 6,955,359 is in order, and is therefore respectfully solicited.

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As to the outstanding obviousness-type double patenting rejection based on claims 4 - 11 of Komatsu's co-pending application U.S. Serial No. 10/950,489, claims 1, 4 - 6, 12 and 13 have been canceled. Thus, the rejections of these claims are now moot.

As to the remaining claims 7 - 11, such pending claims are directed to "a crawler-track connection structure," while claims 4 - 6 of co-pending application U.S. Serial No. 10/950,489 are directed to "a seal assembly." Thus, the applicants' claimed crawler-track connection structure, as recited in claims 7 - 11, is clearly distinguishable over claims 4 - 6 of co-pending application U.S. Serial No. 10/950,489.

Also, independent claim 7 includes the additional limitation in which one of the seal rings (1) and (1) comprises a controller body (32) for controlling the displacement of the load seal ring (2) in a first periphery direction, and the other one of the seal rings (1) and (1) comprises another controller body (32) for controlling the displacement of the load ring (2) in a second periphery direction, the second periphery direction being opposite the first periphery direction. Such limitations are not included in claim 7 (and claims 8 - 11 that depend therefrom) of co-pending application U.S. Serial No. 10/950,489. Thus, the claimed crawler-track connection structure, set forth in claims 7 - 11, are distinguishable over the teachings of claims 7 - 11 of co-pending application U.S. Serial No. 10/950,489.

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In view of the above, the withdrawal of the outstanding obviousness-type double patenting rejection based on claims 4 - 11 of Komatsu's co-pending application U.S. Serial No. 10/950,489 is in order, and is therefore respectfully solicited.

In view of the aforementioned amendments and accompanying remarks, claims, as amended, are in condition for allowance, which action, at an early date, is requested.

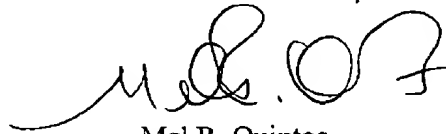
If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact the applicants' undersigned attorney at the telephone number indicated below in order to arrange for an interview to expedite the disposition of this case.

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In the event that this paper is not timely filed, the applicants respectfully petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper to Deposit Account No. 01-2340.

Respectfully submitted,

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